



CUSTOMER NO. 000042131

Docket No. 170.002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Wei He and Wei Weng

SERIAL NO.: 10/768,350

Group Art Unit: 1632

FILED: January 30, 2004

Examiner: Joanne Hama

FOR: Genetic Modification of C57 Mice

**DECLARATION OF Dr. Wei He PURSUANT TO 37 C.F.R. 1.132(a)**

1. I am the co-inventor in the above referenced application. I am currently a Research Scientist at InGenious Targeting Laboratory, Inc. located at 25 E. Loop Road in Stony Brook, New York.
2. The Office Action rejected claims 3-8 under 35 USC sec 103 as obvious over Schuster-Gossler et al (2001, Biotechniques 31: 1022-1026) and Smith (2001, Annu. Rev Cell Dev Biol 17: 435-462) in view of Katayama et al. (2001, Biochemical and Biophysical Res Comm 282: 1134-1140).
3. Response in Reference to Claim 3:

When ES cells are introduced into cysts of mouse blastocysts by injection, traditionally coat color has been used to determine the percentage of the injected ES cells contributing the host blastocysts. Finding the best combination of host blastocysts/ES cells has been a major obstacle for generating genetically modified C57 mice.